

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
January 16, 2006

**PRESENT:** LEON METHOT, VICE CHAIRMAN; HELEEN KURK, SELECTMAN; DONNA M. OSBORNE, SELECTMAN; JOSEPH M. FIALA, SELECTMAN

**TOWN ADMINISTRATOR:** Naomi Bolton, Interim  
**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Stephen Najjar, Peter Buono, Malcolm Wright, Terry Knowles, Sherry Burdick, Keith Jones, Elizabeth Straw, Rad Betts, Frank Campana, Frank Bolton, Carl Knapp, Richard Butt, Forrest Esenwine, Ginger Esenwine, Wendy Rice, Dell A. Rice, Karen Roy, Paul Doscher, John Ciampi, Bill Tiffany, Sharon DeStefano, Nicholas Brown, Andrea Alderman, Pat Myers, Jon Dowst

**5:35 Vice Chairman Methot called the meeting with the Mildred Hall Advisory Committee to order.**

**MILDRED HALL ADVISORY COMMITTEE** – Mrs. Terry Knowles introduced the members of the Mildred Hall Advisory Committee. Mrs. Knowles informed the Board the committee held a meeting on Saturday morning. At this meeting the committee discussed the best way to allocate the funds from Mildred Hall's Estate. The committee discussed possibly using the money to expand the Stone Memorial Building, but then decided the best use of the funds would be to hold 51% of the bond to purchase 600 acres of land owned by the Ferrante Family. Mrs. Knowles said Mildred Hall and her family were landowners in the town of Weare and they feel this would be a wonderful way to honor her parents Charles and Ethel Eastman. It was discussed there would be a memorial sign on the land. Mrs. Knowles said by donating the money to help purchase the land this would help with the tax rate. Selectman Kurk asked what the committee could offer as a firm number being donating. Mrs. Knowles said she was waiting for the attorney to have the final closing letter before making the distribution. Selectman Kurk asked for the number being put forth. Mrs. Knowles bases the 51% on the \$1.5 million bond which would be \$800,000. Mrs. Knowles informed the Board this decision was made on Saturday and all offices were closed today because of the state holiday. Mrs. Knowles said she heard of another private donor willing to donate money. Mr. Steve Najjar, Conservation Commission, heard there could very well be a person in town who said if the bond passes then he possibly will put in 250 acres into conservation as well. Mr. Najjar said right now the town will bear the major burden on the bond.

Vice Chairman Methot stated he is unsure how to handle the bond because they are not sure of the funds. Mrs. Knowles said she feels you could place the wording to say up to or not to exceed a certain amount. Mrs. Knowles said the Board has to post whether or not to accept and have a public hearing for the acceptance. Selectman Kurk said you have to wait 10 days to have the public hearing. Mrs. Knowles said she will have the final number tomorrow. It was discussed they need a total of 12 days. Naomi Bolton asked Mrs. Knowles if they could wait on the public hearings until after the bond was accepted in March. Selectman Kurk said she feels the warrant article could be written differently so the taxpayers see the donation to help offset the tax rate. Mrs. Knowles said the money would not leave the trust funds until it was decided.

## **FINAL**

Vice Chairman Methot said the only stipulation on the money is to have a sign of donation. Mrs. Knowles informed the Board Mildred Hall's Will states; to help and assist the Town of Weare. Mrs. Knowles will contact the attorney to get the final numbers. Selectman Kurk asked if we don't have a public hearing and have it posted before hand does that mean you can't include it in the warrant article. Mrs. Knowles wants to make sure all the steps are taken to make sure it is done the right way. Mrs. Knowles stated as long as the money is there that the committee thinks is there, then there will be \$800,000 to donate. Mrs. Bolton read aloud the RSA and feels they will be all set if they got the number and have another public hearing before the adjourn session. Mr. Najjar said he checked into this and feels they only have until January 17, 2006 to have the public hearing. Selectman Kurk said we can go ahead with what we have now, post a public hearing for the Mildred Hall bequest, and then on the floor you amended the article at the session. Vice Chairman Methot said they can just read the article the way it will read on the warrant instead of amending it.

Mr. Najjar stated the Conservation Commission did take a vote to call this parcel the Pine Hill Forrest but is sure they can change the name to honor the Eastman Family. Vice Chairman Methot asked Mr. Najjar to inform the Conservation Commission of the name change to make sure there are no issues. It was discussed a granite sign with the Eastman name and then a description of the family who owned the land would be placed on the site. Mr. Najjar stated he wants the PWA or the town forest to hold the easement to make sure no one could ever come back and fight for it. Vice Chairman Methot said he left the name out because he was not sure who would want to hold the land. Vice Chairman Methot said he is sure it can all be worked out with the people who will be holding 51% of the bond. It was discussed the Conservation Commission would have a meeting with the Mildred Hall Advisory Committee and finalize a name. Selectman Kurk thanked the committee for pulling together and making the bequest.

### **6:32 p.m. Vice Chairman Methot called the meeting to order.**

**1. PUBLIC PARTICIPATION** – Mr. Frank Bolton said he understands the town was considering discontinuing a section of Bog Hill Road near Merrill Road and gave a brief history of Bog Hill Road. Mr. Bolton described how he uses the road and has had some problems getting through. Mr. Bolton said he was unsure about the ownership of the land and asked Mr. Carl Knapp to check into the parking situation and ownership of the land. Mr. Bolton stated he reported the parking situation to the police and filed a complaint. Mr. Bolton said on January 5, 2006 he asked the homeowners to move a vehicle so the road could be plowed and offered the homeowners his own land to park their vehicles. He went to plow the road with his own vehicle and he received a call from the homeowners stating he was trying to harass them. Mr. Bolton asked the Board to review the procedure for discontinuing use of the road. Mr. Bolton stated the ownership of the land is unclear and asked the Board to go and view the road. Selectman Kurk said it was not on the warrant to discontinue the road. Vice Chairman Methot said it is clear the town has the right a way on that road. Selectman Kurk said it sounds like it could be a neighbor to neighbor issue. Selectman Osborne stated she is concerned with emergency vehicles getting through. Mr. Knapp stated a fire truck can get through and exit. Mr. Knapp stated he understands Mr. Bolton's point but the town has not maintained the road for at least 15 years. Mr. Knapp is not sure why the road is configured the way it is but prefers there be no Y in the road. Mr. Knapp feels they have no legal right to park there. Vice Chairman Methot is trying to find a way to solve the issue. Mr. Knapp feels the way to solve this is to bring the road out to a T. Selectman Kurk stated Mr. Bolton has the right to use the road. Mr. Knapp says if they plow the road they would not want anyone to park on the road. Mr. Bolton encouraged the Board members to drive up there and take a look.

## **2. MANIFESTS**

**Vice Chairman Methot moved, Selectman Osborne seconded, to authorize the Board of Selectman to sign Manifest and order the Treasurer to sign checks dated January 19, 2006, Passed 5-0-0.**

**FINAL**

<b>Accounts payable</b>	<b>\$484,971.77</b>
<b>Gross Payrolls</b>	<b><u>\$30,971.09</u></b>
<b>Total</b>	<b>\$515,942.86</b>

Selectman Kurk informed the Board Mr. Ian McSweeney would like to volunteer for the Zoning Board of Adjustments. Selectman Osborne said we need to follow the plan of having the Chairman from the Board recommend an individual for appointment. Mr. Forrest Esenwine stated Mr. McSweeney was at a previous meeting and they spent time talking with him regarding the position and said he is not uninformed regarding Zoning. Mr. Esenwine said they need to fill some of the empty slots and urges the Board to appoint Mr. McSweeney. Selectman Kurk asked if it would be wise to meet with Mr. McSweeney before appointing him. Mrs. Bolton said it was her understanding the Board in which to be appointed would like to meet with the individual and then gets recommended to the Board of Selectman. Mrs. Bolton said you need to have a structure in which to appoint individuals the same way for every Board. Vice Chairman Methot said he started the procedure last year to have the individual attend the meeting of which they would like to be appointed and then meet with the BOS.

**3. DEPARTMENT HEAD** – Mr. Carl Knapp told the Board he has had requests to accept light cardboard which is not corrugated for recycling. Mr. Knapp did some research and found out the supplier will take the thin cardboard as long as the plastic is removed. Mr. Knapp commented the residents of town have done an incredible job on recycling this year. Vice Chairman Methot asked Mr. Knapp if there is a way to create a sign on all the fees and charges set fourth by the Transfer Station. Mr. Knapp said the only thing which can go in the burn pile is clean wood and everything else needs to go in the demolition pile and have a paid fee. Selectman Kurk said she is very concerned with residents knowing the charges before they get to the transfer station so they are informed and she would like to see it on the website. Selectman Osborne feels it is very important residents know why they have to pay for the removal.

**Vice Chairman Methot opened the public hearing at 7:04 p.m.**

**4. PUBLIC HEARING** – **For the purpose of hearing public testimony and comment on the proposal of bonding \$2 million dollars for the purchase of the Ferrante land which contains approximately 600 acres of unfragmented land located in North Weare bonding the Henniker Town Line, John Stark High School & other conservation land**

Vice Chairman Methot informed all who were unaware the Mildred Hall Advisory Committee offered to donate 51% of the bond to help offset taxes. Mr. Steve Najjar, Conservation Commission and Open Space Committee, said they named the project Pine Hill Forest but this may change. Mr. Najjar's background is in forestry and works locally for the Government. Mr. Najjar said the Frank Ferrante Property is located up behind the John Stark High School and said this parcel is very important to conservation because it is unfragmented and connects to another unfragmented block. The project will cost less than a total of \$2 million dollars. The current landowner said if this purchase by the town does not take place there could be an excess of 125 homes built on the property. Mr. Najjar said the Town Forrest account has funds available and they are looking to bond \$1.5 million. Based on a 20 year bond this will cost the average homeowner approximately \$38 a year. PWA and Society for the Protection of NH Forests are possible easement holders which will allow the property to never be developed and always be conservation and open space. Mr. Najjar said he is unsure if it will be town forest or conservation land.

Mr. Najjar pointed out some of the benefits to the community; 600 acres of open space, JSRHS can use this land for biology, wildlife habitat, hiking, hunting, skiing, biking, walking and wildlife watching. Mr. Najjar said this purchase could help control growth and reduce the burden on community services along with stabilize the

## FINAL

tax rate. Mr. Najjar said houses have a negative impact on the tax rate. NH Fish and Game has done a course filter analysis to determine the wildlife. Mr. Najjar commented on the wildlife and the smaller animal's people do not notice which really need this habitat. In the future the land will cost the taxpayers very little. Mr. Najjar commented on cluster development stating half the land is set aside making the homes closer together and no this has no positive income to the town of Weare and does not add in the reduction in growth.

Mr. Del Rice, lives on Pine Hill and works for PSNH, informed the Board he has seen a lot of growth throughout the state of NH and feels this is a great opportunity to protect the identity of Weare. Mr. Rice commented on all the wildlife he has seen over on Pine Hill and feels we need to protect as much land in the Town of Weare as we possibly can.

Mr. Frank Campana commented on whether the land would be a conservation easement or town forest. Vice Chairman Methot said the town could hold it or they can have a third party control the land. Mr. Campana said if it was town forest it could somehow get developed. Mr. Najjar said just having it designated as town forest or conservation doesn't protect it forever but if it is designated as a conservation easement it can never be changed. Mr. Paul Doscher stated a conservation easement does under law extinguish the rights of the landowner and states the land can't be developed. Mr. Campana is concerned about the wording and making sure citizens understand the meaning of giving away. Mr. Campana would like to encourage the land being a conservation easement. Mr. Najjar said in previous discussions with the BOS he would like to see it closed as a conservation easement. Vice Chairman Methot said he will check with counsel to see if they can purchase the land and place the easement on the land. Mr. Campana said he is unsure how comfortable he would feel if the easement was not placed on the land. Vice Chairman Methot told Mr. Campana he will check with counsel to make sure it is done correctly to make sure the land is never developed.

Mr. Forrest Esenwine said he sees Mr. Campana's reasoning and it is valid. Mr. Esenwine asked if the property could hold a conservation easement and still be managed as a town forest. Mr. Esenwine said we could have the best of both worlds to have the income from town forestry and still be protected from developing. Mr. Esenwine stated the amount of the bond is the maximum of what they need but may be reduced from private funds. Vice Chairman Methot stated he will make sure it is all done legally and when the dollar figure is given to them the bond could possibly only be for \$700,000. The second hearing on the matter will be held on January 30, 2006. Mr. Esenwine hopes the town jumps at the chance to support the purchase.

Mr. Dick Butt supports the project and questioned Mr. Najjar on the commitment made by Mr. Ferrante. Mr. Butt is concerned with going through this effort and not having commitment from the landowner. Mr. Butt said he hopes the Conservation Commission will establish a fund in the future to act quickly on land purchases. It was discussed the amount of funds in the conservation fund is approximately \$600,000. Mr. Najjar said Town Counsel is involved and they have a draft in place and a purchase and sales agreement or option. The purchase price is non public and hopefully no one will come and try to outbid the town and take the land. Mr. Najjar feels requested funds have a better chance of passing if they have a land designated for the fund. Mr. Najjar said it is very important to get this land now and if someone wants to have a warrant article in the future to put away funds in the future that would be great. Vice Chairman Methot will get legal advisement as to getting it passed with one article. Mr. Steve Najjar suggested being careful about confusing the issue. It is very important the town acts quickly to purchase the land. Mr. Paul Doscher commented on the town of Freemont voting on a bond and in the same step setting an easement - he will find out the wording on the article. Karen Roy lives on Pine Hill Road and said she supports the purchase of the land.

**Vice Chairman Methot closed the public hearing at 7:52 p.m.**

**FINAL**

Mr. Steve Najjar gave a brief vide presentation on the Ferrante property.

**Vice Chairman Methot moved, Selectman Fiala seconded, to enter into nonpublic session @ 7:58 p.m. pursuant to the authority granted in RSA 91-A:3II(d). A roll call vote was taken. Selectman Osborne - yes; Selectman Kurk - yes; Selectman Fiala – yes; Vice Chairman Methot – yes. Passed 4-0-0.**

**Vice Chairman Methot opened public hearing at 8:08 p.m.**

**5. PUBLIC HEARING – For the purpose of hearing public testimony and comment on the proposed 2006 annual operating budget**

Vice Chairman Methot commented on the Fire Department's need of a new truck and stated the funds are available now to purchase. Vice Chairman Methot stated purchasing the truck now could save the town up to \$10,000. Selectman Kurk asked if this request was on the CIP plan. Mr. Bill Tiffany said the vehicle is \$210,000. Vice Chairman Methot stated this would not be a warrant article because we have the money available. This will replace a current tanker the town has which was scheduled for replacement by the CIP for 2006. Vice Chairman Methot said taking advantage of the price instead of waiting will save the town money. Mr. Tiffany said the truck is \$161,984 but with the municipal discount it will be \$96,000. Total for cab and chassis and installation and body work \$204,000 and if we wait until after February 18, the price goes up. The Fire Department has researched the purchase and has decided to go with Valley and they will allow \$6,000 trade-in if the town decides to trade in the old tanker. Mr. Knapp said he would consider using the vehicle and it is a better chassis then some he has.

Vice Chairman Methot said the current proposed budget is a \$600,000 difference from the 2005 operating budget.

Mr. Frank Campana asked the Board how the employee longevity bonus works. Vice Chairman Methot stated when an employee reaches 10 years of service they get a bonus every year, when they reach 15 years of service the bonus increases and increases again at 20 years of service. Mr. Campana questioned the Police Department longevity bonus being there for 2005 but not for 2006 and stated \$250 needs to come off the default budget for 2006. Mrs. Bolton said the longevity bonus was initiated by the BOS. Vice Chairman Methot stated Primex is looking at the policies to make sure they are doing everything correctly. Mr. Campana questioned the Police Department longevity bonus, it was discussed since the department is going union then the bonus will come out of the default budget because the bonus will go away.

Mr. Campana questioned the \$227,000 Avitar contract and asked when Avitar will be done. Vice Chairman Methot said they are trying to look into a private assessor. It was discussed next year the Avitar line should be \$0 but in its place will be a number for a part time assessor.

Mr. Campana stated the default budget is close to the actual operating budget and is concerned with the numbers getting very close together. Vice Chairman Methot said they have not been concentrating on the default budget because they are working on the actual. Selectman Kurk said she is trying hard to work on the default and keeping a close eye on the amounts. Selectman Kurk said when they reduce something in the proposed then they also decrease it in the default. Mr. Campana said the town is still spending but it is not showing up in the budget. Mr. Campana asked the Board for a target number on the budget. Mr. Campana said he recalls Chief Begin asking the departments for a zero increase in their budgets. Mr. Campana said last year the tax rate went up \$1.65 and is unsure if the taxpayers realize this. The warrant will be finalized and posted on January 30, 2006.

## FINAL

Chris Hague commented on the Library budget being significantly cut and stated the lowest proposal was \$12,000 more and they have had to adjust it because of increases in utilities. Mrs. Hague said the requested budget is \$162,489 and \$160,185 for the default. Mrs. Bolton said she made the change and the amount is at 2005 wages without the 2006 increases. Mrs. Hague said the Trustees set the increase in the salaries and it is in the statutes. Selectman Kurk asked how the default budget increases. Mrs. Hague said all the increases are due to utilities and insurances and contracts increasing. Selectman Kurk feels they need to follow the default budget and continue it across the board. Mrs. Hague stated they run their budget so lean that if they have to cut any further then services would be missed. Mrs. Hague commented on the default and the proposed running close because all the departments in town run lean with no room for fat.

Mr. Matt Esenwine questioned the Police Budget stating 4 lines on the budget have significant increases. Mrs. Bolton commented Chief Begin broke his budget down differently and lumped together all the full time salaries and then all the part time salaries. There was a discussion on the increase in the dispatch line. Mrs. Bolton said Chief Begin lumped together all his contracts into the dispatch line. Vice Chairman Methot said he knew Chief Begin was consolidating some lines but this is too extensive a consolidation and he will speak to him about adjusting the lines.

Mr. Dick Butt commented on the police salaries stating basically they will be negotiating the salaries for 2007 because it will be too late to go on the warrant for 2006 after union negotiations which are set for February 21, 2006.

Mr. Forrest Esenwine asked if there was a draft warrant available to the public. Vice Chairman Methot said they will be having a hearing on the 30<sup>th</sup>. Mr. Esenwine feels it would be irresponsible to get the draft to the public at a late date. Selectman Kurk said she apologizes for the late date but this year they are working with less staff and help. Mr. Esenwine would like to have the draft available to the public as soon as possible.

Selectman Kurk asked how you figure out the revenues. Vice Chairman Methot said most of them are estimated. In the past the Finance Administrator has supplied these numbers.

Mr. Dowst commented we need to spend as much time on the revenue side of the budget as we do the tax impact side of the budget because there is as much chance for tax relief on the revenue side of the budget.

Selectman Kurk stated she was researching where else they could reduce the budget and she spoke with the chair of the Cable Committee.

It was discussed the departments will need to submit an itemized revenue sheet to estimate revenue.

It was discussed each CIP request has to be done individually and cannot be lumped together.

**Vice Chairman Methot closed the public hearing on the budget at 9:26 p.m.**

**Vice Chairman Methot moved, Selectman Osborne seconded to authorize the Fire Department to order their chassis as described not to exceed \$96,000. Passed 4-0-0.**

The Board discussed meeting with the Library Trustees at their work session on Saturday around 9:00 a.m.

**6. CIP SUBCOMMITTEE TO PRESENT 2006 CIP PLAN** – Mr. Paul Morin, Chairman of the CIP Subcommittee and the Planning Board. Mr. Morin stated the Planning Board recognized the need to update the CIP process to help the BOS put together their budget and that's why the subcommittee was created. The result

## FINAL

was a 68 page document which goes through all requests departments could foresee within the next 6 years. The CIP prioritizes their needs and is sure to be mindful of all departments' needs and the needs of the town budget. After submissions by departments the CIP Subcommittee prioritized the needs of all submissions. The CIP is presented by and adopted by the Planning Board. Vice Chairman Methot feels they received the spreadsheets in sufficient time and could possibly have the presentation a little earlier in the process.

Mr. Morin hopes the Board will consider the subcommittee's recommendations. Mr. Morin feels they have thought of all the expenses needed and hopes to be able to put money aside for the anticipated expenses. He feels it would be beneficial to prioritize the needs and make purchases as needed and not just put money aside and they will have the money in the accounts. Mr. Morin commented on the Code Enforcement Officer's vehicle and the need to replace it.

Mr. Morin went through the list of needs brought forth from departments in town \$509,789 with just under \$410,000 to be raised by taxation.

Vice Chairman Methot said he did not put Ienison Field on the warrant for \$11,000 because he could not recall what the money was for. It was determined the funds were for an irrigation system. It was discussed there was a request for \$20,000 for portable bleachers but the CIP Subcommittee feels the overall picture needs to be defined in detail and then prioritize the needs.

Vice Chairman Methot said he did not put the request for the thermal imaging equipment on the warrant. Mr. Morin said you could not put it on the warrant but you will be back here next year requesting additional funds instead of reserving funds to help offset these funds.

Mr. Morin said in the past they have grouped some on these items on the warrant, if they were deemed necessary. Mr. Morin said he would like to see the funds go into the Capital Reserve Fund and not in the General Fund. Mr. Morin recommends grouping a lot of these items together. Mr. Morin said you want to give these to the voters in one large group so they understand the purpose of the CIP.

It was discussed the Police Chief's replacement vehicle will have to be on a separate article.

Mr. Morin said this is an advisory document and if the BOS chooses to sign it that means they are taking the CIP's advice.

Mr. Morin feels the ones adopted by the voters and have been funding up to now need to be grouped all together. Mr. Butt asked Vice Chairman Methot when writing the warrant articles could he include that it is approved or recommending by the CIP.

Mr. Morin discussed with the Board the Fire Department's Tanker and since the Board already approved the expenditure of the tanker then you still need to request the funds and then place them in the CIP fund for that article.

The purpose of the CIP is to keep everything level funded.

Selectman Kurk said they approved the \$96,000 to purchase the chassis but they still need to fund the \$110,000 for the rest of the purchase. Selectman Kurk stated the reality is the CIP concurred this is what was needed as far as the tanker is concerned.

## FINAL

Discussion on the government buildings and the CIP received a proposal for the need for window replacement but that was all that was brought forth.

Mr. Morin said all these items have already been approved by the taxpayers to be funded.

The program is the group of Capital Improvements which have already been accepted and approved by the taxpayers. Anything new brought forth will have to be stand alone items.

Vice Chairman Methot asked Mr. Morin if would be all right with him if he separates some of the items. Mr. Morin stated he is against separating the items because this plan is responsible and it should stand on its own.

Mr. Butt said they are trying to keep the program consistent and once the voters understand the plan he is sure they will pass it. Selectman Kurk feels this is all about educating the public. Mr. Butt feels this is an ideal time to do this because if the voters say no, there is still money in the funds to still purchase the items needed.

It was determined all the items will be grouped together in one warrant article.

**Selectman Kurk moved, Selectman Fiala seconded to authorize the Chairman to sign the CIP plan fiscal year 2006. Passed 4-0-0.**

Vice Chairman Methot thanked all the CIP subcommittee members for all their work.

## 7. ADMINISTRATIVE REPORT

Selectman Kurk mentioned she will be attending a legislative hearing on January 24, 2006 and she needs points and arguments she can make at that hearing so Weare can get it's rightful number of Representatives.

Selectman Kurk would like to get a note to the Happy Weare-ites to inform them of the changes made. The Board all agreed.

Selectman Kurk said they need to set a date with Mr. Buxton, PARC, Naomi Bolton, and Mr. Dahlberg to put a closure to the land issue sometime after February 4, 2006.

Selectman Kurk said they need to set up a meeting with the Town Administrator search committee and she has some names of who could fill in until they get someone full time. Vice Chairman Methot mentioned Bill Herman could be a part time substitute for Town Administrator for 20 hours a week. Selectman Osborne and Selectman Kurk both stated they have a problem with that solution. These people are just temporary they are not people who want the full time position. Selectman Kurk mentioned contacting MRI and having them contact Pat McQueen. The Board determined it would meet this Friday with the Town Administrator Search Committee at 7:30 p.m. for a non public meeting.

Selectman Kurk asked if a letter was ever sent a letter to the Ethics Committee thanking them for their efforts.

**Vice Chairman Methot moved, Selectman Osborne seconded, to enter into nonpublic session @ 10:35 p.m. pursuant to the authority granted in RSA 91-A:3II(c). A roll call vote was taken. Selectman Osborne - yes; Selectman Kurk - yes; Selectman Fiala – yes; Vice Chairman Methot - yes. Passed 4-0-0.**

## 8. ADJOURNMENT



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A True Record.

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Cherry Palmisano, Recording Secretary